

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

SHEILA PORTER,
Plaintiff

v.

ANDREA CABRAL, SUFFOLK
COUNTY SHERIFF'S DEPARTMENT,
SUFFOLK COUNTY,
Defendants

**DEFENDANTS ANDREA CABRAL, SUFFOLK COUNTY SHERIFF'S
DEPARTMENT, AND SUFFOLK COUNTY'S
MOTION FOR A NEW TRIAL**

Now Come the Defendants Andrea Cabral, Suffolk County Sheriff's Department,
and Suffolk County pursuant to Fed. R. Civ. P. 59 (a) and move that this Honorable Court
order a new trial on the merits of the instant case

As Reasons therefore, Defendants state:

1. The Jury's verdict is contrary to the weight of the evidence.
2. The Court's pretrial rulings were prejudicial to the Defendants.
3. The Plaintiff's closing argument was improper and prejudicial to the Defendants.

Defendants rely on the attached Memorandum of Law in support of their Motion and respectfully request that they be allowed to supplement their memorandum prior to and after a hearing on the matter.

REQUEST FOR ORAL ARGUMENT

Defendants request to be heard on the merits of the instant Motion.

Respectfully submitted,
For the Defendants,

/s/ Ellen M. Caulo
Ellen M. Caulo
BBO # 545250
Suffolk County Sheriff's Department
200 Nashua Street
Boston, MA 02114
(617) 961-6681

Date: February 2, 2006

Local Rule Certification

I, Ellen M. Caulo, hereby certify that I have conferred with Plaintiff's counsel in an effort to resolve the issues raised by this motion.

/s/ Ellen M. Caulo
Ellen M. Caulo